



U.S. Department of Justice

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August 21, 2023

Via CM/ECF

Hon. Robert W. Lehrburger
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007
Lehrburger_NYSDChambers@nysd.courts.gov

Granted.

SO ORDERED:

8/21/2023

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Re: *Albino v. Acting Commissioner of Social Security*
Civil Action No. 1:23-cv-02491-RWL
Letter Request for Extension of Deadlines

Dear Judge Lehrburger:

This Office represents the Acting Commissioner of Social Security (Commissioner), the Defendant in this matter. We write respectfully to request an extension of the briefing deadlines in the above-referenced Social Security case.

Pursuant to this Court's Order dated August 2, 2023, the Commissioner's brief is due to be filed on August 28, 2023, and Plaintiff's reply brief is due to be filed on September 11, 2023. ECF 11. However, the undersigned attorney needs additional time to confer with the agency regarding the Commissioner's litigation position in this case. Thus, in accordance with the Supplemental Rules for Social Security actions, effective December 1, 2022, the undersigned proposes the following modified and comprehensive schedule for future filings in this case:

- Defendant's brief shall be filed by September 27, 2023; and
- Plaintiff's reply shall be filed by October 11, 2023.

This is the second request for an extension of the filing deadlines in this case. Plaintiff's counsel previously requested an extension *nunc pro tunc* for the filing of her brief. ECF 8, 10. Her request was granted. ECF 11. Plaintiff's counsel has reviewed this proposed schedule and

consents to it.

We thank the Court for its consideration of this request.

Respectfully submitted,

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United States Attorney

BY: /s/ Avni Gandhi
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cc: Louis Burko, Esq. via CM/ECF